IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1017 of 2007

METHI DEVI
V/S
CIVIL JUDGE (S.D.) FALODI & ORS.

Mr. MS PUROHIT, for the appellant / petitioner

Date of Order : 15.3.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner, and perused the impugned order.

The learned trial court has already framed issue with respect to existence of Patta of the petitioner as issue no.11. Then, regarding the other issue sought to be framed on the basis of averment in para-3 of the application, it has been stated that the matter is already covered by existing issue no. 8. Then, regarding the request for framing the issue on the basis of the pleading contained in para-3 of the written statement, it has been held that it is not clarified as to on what aspect the issue is sought to be framed. However, perusal of para-3 of the written statement of defendant no.1 also shows that the learned trial court has rightly declined to frame the issue. Thus, I do not find any error in the impugned order.

The writ petition is, therefore, dismissed summarily. The learned trial court is, however, directed to decide the main suit expeditiously.

(N P GUPTA),J.

/Sushil/